



UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Stone, Jay
SERIAL NO.: 09/757,915
FILED: January 10, 2001
FOR: Gaming Device and Method

ART UNIT: 3714

EXAMINER: Rada, A.

RECEIVED

APR 15 2004

TECHNOLOGY CENTER 3700

To: Mail Stop Patent Application
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

PROVISIONAL NOTICE OF APPEAL

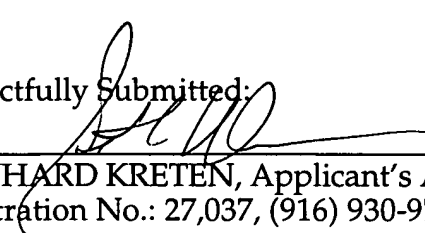
It is sincerely believed that the appended amendment overcomes the Examiner's rejection of this application such that there is no need for an appeal herein. However, in the event the Examiner believes that the only resolution to this case is to forward it to the Board, undersigned respectfully appeals the final rejection dated October 7, 2003 and the Examiner is respectfully requested to pass this case on to the Board for appeal purposes.

Applicant hereby appeals the rejections in the above-identified case as set forth in the Office Action dated October 7, 2003. More specifically, applicant hereby appeals the rejections of claims 1-3, 6-13, and 15.

Should the Examiner feel that this case should be passed on to the Board, the fees due with respect to this Notice of Appeal filed herewith should be charged to deposit account 11-1734, attorney docket number 30020-pa.

Dated: April 7, 2004

Respectfully Submitted:


BERNHARD KRETEN, Applicant's Attorney
Registration No.: 27,037, (916) 930-9700